UNITED STATES DISTRICT COURT EASTERN DISTRICT OF PENNSYLVANIA

JAMES DANIEL SPORISH,

Petitioner,

,

v. : No. 2:12-cv-4142

MICHAEL W. HARLOW, THE DISTRICT : ATTORNEY OF THE COUNTY OF : DELAWARE, THE ATTORNEY GENERAL : OF THE STATE OF PENNSYLVANIA, : :

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Respondents.

ORDER

AND NOW, this 26th day of September, 2016, for the reasons set forth in the Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

- 1. Magistrate Judge Henry S. Perkin's R&R, ECF No. 36, is **ADOPTED**;
- 2. Petitioner's request for an evidentiary hearing, ECF No. 42, is **DENIED**;
- 3. Petitioner's objections to the R&R, ECF No. 43, are **OVERRULED**;
- 4. Petitioner's Motion for Stay and Abeyance, ECF No. 50, is **DENIED**;
- 5. Petitioner's Motion for Leave to Amend, ECF No. 51, is **GRANTED**, and his additional allegations have been considered as part of this Court's review;
 - 6. The petition for writ of habeas corpus, ECF No. 1, is **DISMISSED**;
 - 7. There is no basis for issuance of a certificate of appealability;
 - 8. The Order dated May 7, 2015, ECF No. 37, is **AFFIRMED**; and
 - 9. This case is **CLOSED**.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge